

REMARKS

This application has been reviewed in light of the Office Action dated October 29, 2008. Claims 1-3, 5, 6, 9-12, 15 and 18 are presented for examination, of which Claims 1, 6, 9 and 15 are in independent form. Claims 1-3, 5, 6, 9-12 and 15 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Claims 1, 2, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 6,434,569 (Toshimitsu et al.) in view of U.S. Patent 6,188,402 (Csipkes et al.). In addition, Claims 3 and 12 were rejected under Section 103(a) as being obvious from *Toshimitsu* in view of *Csipkes* and of U.S. Patent Application Publication 2002/0099569 (Thirsk), Claim 5, as being obvious from *Toshimitsu* in view of *Csipkes*, *Thirsk* and U.S. Patent Application Publication 2003/0055317 (Taniguchi et al.), Claims 6, 15 and 18, as being obvious from *Toshimitsu* in view of *Csipkes* and U.S. Patent Application Publication 2004/0062421 (Jakubowski et al.), and Claim 11, as being obvious from *Toshimitsu* in view of *Csipkes* and *Taniguchi*.

Independent Claim 1 is directed to a medical image handling system that comprises a monitor for displaying a medical image, and an input device for inputting an image reading report corresponding to the medical image displayed on the monitor, in response to an instruction given by a user. Also provided is a processor that is configured to process a control of judging presence or absence of the input of the image reading report corresponding to the medical image displayed on the monitor, and restricting a change of displaying the medical image in a case where the input of the image reading report is judged to be absent.

In an apparatus according to Claim 1, thus, the processor effects processing that results in the apparatus judging there has been input an image reading report corresponding to a medical image that is being displayed on the monitor, and restricting the change of displaying the medical image if inputting of the image reading report is judged to be absent.

As noted at page 4 of the Office Action, *Toshimitsu* lacks the processor recited in Claim 1. With regard to that feature, the Examiner cites *Csipkes*.

Csipkes relates to a workstation for use in the assembly of parts into a system or subsystem, which is provided with a PC terminal and two display screens. The first display screen shows the procedure to be followed by the user in performing the assembly. The workstation includes a testing function, which automatically performs any testing called for by the current step of the assembly procedure, and the results of the testing are shown on the second display screen. Once the current step is done, the display on the first screen can be advanced to the next step; however, if the current step involves testing, and the results of the testing are outside the specifications for that test, the workstation disables updating of the display on the first screen - that is, it is not possible to advance to the next step for the procedure.

In the *Csipkes* workstation, thus, the assembler is automatically prevented from proceeding to the next step when the test results fall outside of control specifications. That is, it is merely judged whether or not the test results are within the control specifications. As Applicants understand the analysis underlying the outstanding rejection, it appears that the Examiner considers that *Csipkes* would have suggested to a person of ordinary skill to add such a feature to the system of *Toshimitsu*, but it is not clear why this would be so. The *Csipkes* workstation is intended, at certain points in an assembly procedure, to perform a test, and if the

result is not within specifications, to inhibit proceeding to the next step of assembly. It is not clear why a person of ordinary skill would have considered that there would be a need for automatically performing testing of some kind in the *Toshimitsu* system, nor what the nature or purpose of such testing would be. Without such testing, however, *Csipkes* provides no rationale for inhibiting progress to the next step.

Moreover, even if one of ordinary skill had somehow found in those two documents some suggestion to try to add a *Csipkes*-like function to the *Toshimitsu* system, no reason is seen why that person would even have thought of making advance of a display contingent on whether the operator has performed a certain step - in *Csipkes*, the concern appears to be the outcome of a test performed automatically, on the object that is being assembled. That is, even if consideration of these two documents were assumed to give the person of ordinary skill the idea to combine them somehow, there appears to be nothing in the art that would have suggested what to check, and certainly nothing that would have suggested checking whether a document has been inputted, much less that specifically an image reading report, as recited in Claim 1.

In short, it appears to Applicants that *Toshimitsu* and *Csipkes* would not have sufficed to had led a person of ordinary skill to the apparatus claimed in Claim 1, and Applicants therefore submit that that claim is allowable over those two documents, considered separately or in any possible combination.

Independent claim 6 is sufficiently similar to Claim 1 that the foregoing arguments apply to that claim as well.

Independent Claim 9 is directed to a medical image handling method that comprises displaying a medical image, judging presence or absence of an inputting of an image reading report corresponding to the displayed medical image, and restricting a change of displaying the displayed medical image, in a case where the inputting of the image reading report is judged absent.

Independent Claims 6 and 15 are sufficiently similar to Claims 1 and 9, respectively, that the foregoing arguments apply to Claims 6 and 15 as well.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Leonard P Diana/

Leonard P. Diana
Attorney for Applicants
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200